

V. REMARKS

Claims 1-10 are rejected under 35 U.S.C. § 102(a) as anticipated by Kobayashi et al. (U.S. Patent No. 6,626,365). The rejection is respectfully traversed.

It is respectfully submitted that this reference cannot be applied to the present invention under either 35 U.S.C. §102 or §103 because of both common ownership by Fujikoki Corporation and the common inventorship. Further, the issuance date of the reference is September 30, 2003, which is after the date of filing of this application.

As a result, withdrawal of the rejection is respectfully requested.

Claims 1-10 are rejected under 35 U.S.C. § 102(b) as anticipated by Sendo et al. (U.S. Patent No. 5,127,237) or Taguchi (U.S. Patent No. 6,112,998). The rejection is respectfully traversed.

Sendo teaches an expansion valve controlling the flow of refrigerant that includes a housing, a plurality of passages, a temperature-sensing chamber, a valve mechanism, a spring biasing a ball valve and a slidable rod.

Taguchi discloses a thermostatic expansion valve that includes a housing, a plurality of passages, a temperature-sensing chamber, a valve mechanism, a spring biasing a ball valve and a slidable rod.

Claims 1 and 6, as amended, are directed to an expansion valve to be equipped in an air conditioner to control the flow of a refrigerant that includes a piping member with a refrigerant path to which is connected a pipe communicated with a device of an air conditioner, a stopper and a shaft member for driving a valve member. Claims 1 and 6 recite that the refrigerant path includes a first path portion through which the refrigerant flows from a compressor to an evaporator and a second path portion through which the refrigerant flows from the evaporator to the compressor and the shaft member is connected to the stopper and the valve member and extends through the first and second path portions of the refrigerant path.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claims 1 and 6 as amended. Specifically, it is respectfully submitted that the applied art fails to teach a refrigerant path includes a

first path portion through which a refrigerant flows from a compressor to an evaporator and a second path portion through which the refrigerant flows from the evaporator to the compressor and with and the shaft member is connected to the stopper and the valve member and extends through the first and second path portions onto the refrigerant path. As a result, it is respectfully submitted that claims 1 and 6 are allowable over the applied art.

Claims 2-5 depend from claim 1 and include all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite. Claims 7-10 depend from claim 6 and include all of the features of claim 6. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 6 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Further, Applicants are filing herewith an Information Disclosure Statement along with three (3) references and the appropriate fees. Applicants respectfully request the Examiner's consideration of these references in light of the claims, as now amended.

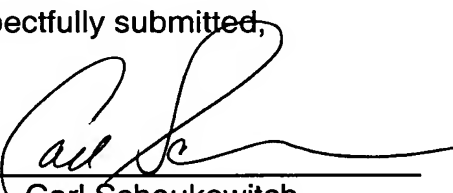
In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: July 20, 2004

By:


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Enclosure(s): Information Disclosure Statement
Form PTO/SB/08A
One (1) cited reference

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